

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE  
THE TRADEMARK TRIAL AND APPEAL BOARD

-----X  
V SECRET CATALOGUE, INC. and  
INTIMATE BEAUTY CORPORATION  
D/B/A VICTORIA'S SECRET BEAUTY,  
  
Opposers,  
  
v.  
  
ZO BRANDS, LLC,  
(formerly JONATHAN POSNARD and  
ZOPPINI, LLC,  
  
Applicant.  
-----X

TTAB

Opposition  
No. 91,161,849

78187202

**APPLICANT'S REQUEST FOR ABANDONMENT OF APPLICATION PURSUANT  
TO 37 C.F.R. §2.135**

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

COMES NOW, Applicant Zo Brands, LLC, pursuant to 37 C.F.R. §2.135 hereby requests Abandonment of it's ZO ZEXY application (U.S. Application Serial No. 78/187,202) which is the subject matter of this opposition. Applicant has written to opposing counsel and has received opposing counsel's consent for the abandonment of the application which is attached as Exhibit A. Accordingly, Applicant requests that the Board permit Applicant to abandon the above identified application.

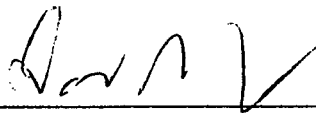
If there are any additional charges, please bill our Deposit Account No. 503180.



09-07-2005

U.S. Patent & TMO/tm Mail Rcpt Dt. #72

Respectfully submitted,



Daniel S. Polley,  
Reg. No. 34,902

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**CUSTOMER NO. 44538**

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing APPLICANT'S REQUEST FOR ABANDONMENT OF APPLICATION PURSUANT TO 37 C.F.R. §2.135 has been forwarded via First Class Mail, postage prepaid, to Opposer's attorney of record Frank J. Colucci, at Manhattan Tower, 101 East 52<sup>nd</sup> Street, New York, New York 10022 this 24<sup>th</sup> day of August, 2005.



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Applicant.  
-----X

Opposition  
No. 91,161,849

**CERTIFICATE OF MAILING**

I hereby certify that the foregoing APPLICANT'S REQUEST FOR  
ABANDONMENT OF APPLICATION PURSUANT TO 37 C.F.R. §2.135, and any  
attachments thereto, is being deposited with the United States Postal Service as first  
class mail, with sufficient postage, in an envelope addressed to: Commissioner for  
Trademarks, Mail Stop T.T.A.B., P.O. Box 1451, Alexandria, VA 22313-1451.

This 29<sup>th</sup> day of August, 2005.

  
FRANCES RINALDI

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August 4, 2005

VIA FACSIMILE

Daniel S. Polley, Esq.  
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Fort Lauderdale, Florida 33301

Re: V Secret Catalogue, Inc. and Intimate Beauty Corporation  
d/b/a Victoria's Secret Beauty v. Zo Brands (formerly Jonathan  
Ponsard and Zoppini, LLC)  
Opposition No. 91,161,849  
Your File 1015.9003  
Our File D89-391

Dear Mr. Polley:

We acknowledge receipt of your letter of July 1<sup>st</sup> requesting our client's consent to the abandonment of Zo Brands' United States Application Serial No. 78/187,262 to register the mark ZO ZEXY in various International Classes, which is the subject of the above-identified opposition.

Victoria's Secret has no objection to the express abandonment of your client's application in its entirety with prejudice. However, we caution your client that Victoria's Secret will consider use of the mark on any of the goods in the application to be an infringement of its mark SO SEXY.

Sincerely yours,

*Georgann M. Callaghan*  
Georgann M. Callaghan

GMC:gm

Exhibit A